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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL SCOTT LOVELY,

Plaintiff,

v.

THE STATES OF WASHINGTON AND THE
MUNICIPALITY OF BAINBRIDGE
ISLAND,

Defendants.

Case No. C08-5625 FDB

ORDER DENYING MOTION
FOR RECONSIDERATION

This matter comes before the Court on the motion of Plaintiff entitled Motion for a New trial, to Alter a Judgment, or to Amend a Judgment as per FRCP 59. The Court, having reviewed the motion, the response and the record herein, is fully informed and denies the motion.

On January 4, 2010, this Court entered an order granting the Defendants' motion to dismiss this civil rights action based on Mr. Lovely's failure to state a claim for which relief could be granted, absolute judicial immunity, Eleventh Amendment immunity, the abstention doctrine, and the Rooker-Feldman doctrine.

On January 12, 2010, Mr. Lovely filed the instant motion. In the motion, Mr. Lovely

1 admitted that although he learned that the court's order dismissing this case had been entered, he
2 had not yet received or read it. Mr. Lovely indicated that he would be filing additional materials for
3 the Court's consideration. As of this date - almost two months since the Court's decision dismissing
4 Mr. Lovely's claims - Mr. Lovely has provided no additional materials or briefing to the Court.

5 Pursuant to Local Rules W.D. Wash. CR 7(h)(1), motions for reconsideration are
6 disfavored, and will ordinarily be denied unless there is a showing of (a) manifest error in the prior
7 ruling, or (b) facts or legal authority which could not have been brought to the attention of the court
8 earlier, through reasonable diligence. Plaintiff has not made the requisite showing as to either of
9 the grounds for reconsideration under CR 7(h)(1).


10 Plaintiff does not argue that the court committed any error. Other than simply reiterating
11 conclusory statements that the Defendants are liable or that trial of this case should proceed,
12 Plaintiff makes absolutely no legal arguments in his motion. He cites no authorities supporting his
13 contention that liability could still attach in this case.

14 ACCORDINGLY;

15 IT IS ORDERED:

16 Plaintiff's Motion for New Trial, to Alter a Judgment, or to Amend a Judgment [Dkt # 74] is
17 DENIED.

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19 DATED this 26th day of February, 2010.

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22 _____
23 FRANKLIN D. BURGESS
24 UNITED STATES DISTRICT JUDGE
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